

Message

From: Szelag, Matthew [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F1E48230D96943F8ACB72810E32CE8D6-SZELAG, MATTHEW]
Sent: 12/9/2016 7:52:14 PM
To: Conklin, Becca (ECY) [bcon461@ECY.WA.GOV]
Subject: RE: Updating Ecology's publication no. 06-10-091

Hi Becca,

Thanks for sharing this and providing the opportunity to review. I have a couple comments, but I would characterize them all as suggestions with the exception of the footnotes.

In the intro language (suggested edits in red):

- Table 240 includes a column listing EPA's federally promulgated human health criteria at 40 CFR 131.45.
- For chemicals with federal criteria, the federal criteria apply for Clean Water Act purposes, such as NPDES permits. (maybe add another example in addition to NPDES permits such as 303(d) listing, etc.?)
- Units of measure are µg/L for all substances except ammonia and chloride, which are mg/L. (consider calling out methylmercury mg/kg units here? – although I know it's in the footnote directly below)
- In the applicability section, I agree with not copying (d) *applicable use designations*, but it might be good to specifically mention in an additional note that the applicability section in the federal rule addresses this. Perhaps something like, "For information on the applicable use designations for the federal criteria, see 40 CFR 131.45 (d)."

On the footnotes, I'd suggest pulling straight from our rule instead of the CWA Effective Table we put together. This mostly effects footnote a. Since we didn't promulgate federal criteria for copper or asbestos, it looks strange to have that footnote about the Safe Drinking Water Act applied to the criteria in the table. Footnote a directly from the federal rule is for arsenic (carried over from the NTR): This criterion refers to the inorganic form of arsenic only. I'd also probably recommend using the language from footnote ** that's directly from the rule too: ** These criteria were promulgated for Washington in the National Toxics Rule at 40 CFR 131.36, and are moved into 40 CFR 131.45 to have one comprehensive human health criteria rule for Washington. I think the rest of the footnotes are identical.

I did a spot check of the table and everything looked good to me. It may be a bit confusing for people to see the numbers side-by-side, but I think the explanation above will hopefully clarify enough. I'm assuming it's necessary to keep the criteria that were disapproved in the table since they are still in your state regulations?

Hope this helps and let me know if you have any questions. Thanks!

Please note the new phone number and address below.

Matthew Szelag | Water Quality Standards Coordinator
U.S. Environmental Protection Agency | Region 10
222 W 7th Avenue, #19 | Anchorage, AK 99513
P: (907) 271.1208 | szelag.matthew@epa.gov

From: Conklin, Becca (ECY) [mailto:bcon461@ECY.WA.GOV]
Sent: Thursday, December 08, 2016 2:02 PM
To: Szelag, Matthew <Szelag.Matthew@epa.gov>
Subject: RE: Updating Ecology's publication no. 06-10-091

Hi Matt,

I added text (per Cheryl's suggestion) in the "explanation" section. Please use the attached draft version for any review you have time for.

Thanks again, Matt!

Becca Conklin

Department of Ecology | Water Quality Standards Coordinator
P.O. Box 47600 | Olympia, WA 98504-7600 | ph. 360-407-6413

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From: Szelag, Matthew [<mailto:Szelag.Matthew@epa.gov>]

Sent: Wednesday, December 07, 2016 6:30 PM

To: Conklin, Becca (ECY) <bcon461@ECY.WA.GOV>

Subject: RE: Updating Ecology's publication no. 06-10-091

Yikes! That's cold!

I'm in an all-day meeting but will look at this Friday. Thanks.

Please note the new phone number and address below.

Matthew Szelag | Water Quality Standards Coordinator
U.S. Environmental Protection Agency | Region 10
222 W 7th Avenue, #19 | Anchorage, AK 99513
P: (907) 271.1208 | szelag.matthew@epa.gov

From: Conklin, Becca (ECY) [<mailto:bcon461@ECY.WA.GOV>]

Sent: Wednesday, December 07, 2016 3:38 PM

To: Szelag, Matthew <Szelag.Matthew@epa.gov>

Subject: RE: Updating Ecology's publication no. 06-10-091

As a former Vermonter, I will say that "warm" and "cold" are relative. My personal favorite temperature is -5 degrees F. Perfect!

A criteria spot check and thoughts on the explanation would be great! Thank you! I attached the PDFd document (working draft form). If this format is unwieldy, please let me know.

Thanks again,
Becca

Becca Conklin

Department of Ecology | Water Quality Standards Coordinator
P.O. Box 47600 | Olympia, WA 98504-7600 | ph. 360-407-6413

From: Szelag, Matthew [<mailto:Szelag.Matthew@epa.gov>]

Sent: Wednesday, December 07, 2016 3:24 PM

To: Conklin, Becca (ECY) <bcon461@ECY.WA.GOV>

Subject: RE: Updating Ecology's publication no. 06-10-091

Hi Becca,

Doing well and trying to get used to the cold...I think it's a little odd when temperatures in the teens start to feel warm, but maybe that's what makes people tough up here? Hope you're doing well and gearing up for what sounds like some exciting weather.

I don't anticipate us having any issues with replicating the federal criteria in the easy to read publication of WA's WQS. I think it's probably a good idea because I'm assuming that's the main resource people use when determining applicable criteria. If you want to send me the new document, I'd be happy to look at the explanation and do a quick spot check of the criteria values themselves.

I'll also double check with folks here to make sure they don't have any concerns. Thanks!

Please note the new phone number and address below.

Matthew Szelag | Water Quality Standards Coordinator
U.S. Environmental Protection Agency | Region 10
222 W 7th Avenue, #19 | Anchorage, AK 99513
P: (907) 271.1208 | szelag.matthew@epa.gov

From: Conklin, Becca (ECY) [<mailto:bcon461@ECY.WA.GOV>]

Sent: Wednesday, December 07, 2016 11:15 AM

To: Szelag, Matthew <Szelag.Matthew@epa.gov>

Subject: Updating Ecology's publication no. 06-10-091

Hi Matt,

I hope you are doing well up north. It looks wicked chilly! Us lowlanders are faced with snow in the next day or two. Some are more excited than others. (I love snow! ☺)

I'm working on updating [Ecology's publication no. 06-10-091](#) to reflect the WQ Standards rule language we adopted August 1st. Because this is our "easy-read" version, we would like to include a reference column in Table 240. The column would list the federal promulgated human health criteria. The intent is for users to have an easy reference to all the applicable HHC for Washington.

Would inclusion of the federal criteria cause any issue? I added a call-out box before the table explaining the additional criteria, and included a link to the EPA page (<https://www.epa.gov/wqs-tech/water-quality-standards-regulations-washington#fed>).

Additionally, would you care to review the EPA criteria values I placed in table 240 (and explanation)? I copied them from the super helpful table you created, but an extra check is never a bad thing!

Thanks,
Becca

Becca Conklin

Department of Ecology | Water Quality Standards Coordinator
P.O. Box 47600 | Olympia, WA 98504-7600 | ph. 360-407-6413

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